

111TH CONGRESS
1ST SESSION

H. R. 3396

To amend title 5, United States Code, to prohibit agencies from enforcing rules that result in a specified economic impact until the requirements of those rules are enacted into law by an Act of Congress, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2009

Mr. PAUL introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 5, United States Code, to prohibit agencies from enforcing rules that result in a specified economic impact until the requirements of those rules are enacted into law by an Act of Congress, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Congressional Respon-
5 sibility and Accountability Act”.

1 **SEC. 2. RULES THAT RESULT IN A SPECIFIED ECONOMIC**
2 **IMPACT.**

3 Section 553 of title 5, United States Code, is amend-
4 ed by adding at the end the following:

5 “(f)(1) Before adoption of a rule, each agency shall
6 determine whether compliance with the rule will result in
7 a specified economic impact. If an agency determines that
8 a rule will result in a specified economic impact, the agen-
9 cy shall provide notification and shall not enforce the rule
10 until the requirements of the rule are enacted into law
11 by an Act of Congress.

12 “(2) Not later than 180 days after the date of the
13 enactment of this Act, and annually thereafter, each agen-
14 cy shall determine whether any rule of that agency has
15 resulted in a specified economic impact in the preceding
16 year. If an agency determines that a rule has resulted in
17 a specified economic impact in the preceding year, the
18 agency shall provide notification and, not later than 365
19 days after making such determination, shall no longer en-
20 force the rule until the requirements of the rule are en-
21 acted into law by an Act of Congress.

22 “(3) In this subsection:

23 “(A) The term ‘provide notification’ means
24 transmit the rule determined to result in a specified
25 economic impact and the findings supporting such a
26 determination, including relevant public comments in

1 the case of a proposed rule, to the Federal Register
2 for publication and to the Committees on Appropria-
3 tions of the House of Representatives and the Sen-
4 ate, not later than 30 days after a determination is
5 made in the case of a proposed rule and not later
6 than 60 days after a determination is made in the
7 case of an existing rule.

8 “(B) The term ‘a specified economic impact’
9 means any of the following:

10 “(i) Costs to any individual of \$5,000 or
11 more in a year.

12 “(ii) Costs to any partnership, corporation,
13 association, or public or private organization,
14 but not including the Federal Government or a
15 State government, of \$10,000 or more in a
16 year.

17 “(iii) Costs to all persons in the aggregate,
18 but not including the Federal Government or a
19 State government, of \$25,000 or more in a
20 year.

21 “(iv) The loss by 1 or more United States
22 citizens of existing employment in a year.”.

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